



Civil Service Rules

Posted by [Pierluigi Oliverio](#) on Monday, January 10, 2011

The City of San Jose has adopted Civil Service Rules that state what is and what is not allowed in regards to employment. The City Charter allows for changes to Civil Service Rules by a Council vote, and does not necessarily require a city-wide election.

SECTION 1103. Civil Service Rules; Manner of Adoption.

Civil Service Rules for the Classified Service shall be adopted, and may from time to time be repealed or amended, by ordinance of the Council. Upon adoption, Civil Service Rules shall have the force and effect of law.

The Council may adopt, repeal or amend any Civil Service Rule for the Classified Service, provided it first receives from the Civil Service Commission a report or recommendation with respect to the proposed new Rule, if a new Rule is proposed to be adopted, or with respect to the proposed repeal or amendment of an existing Rule if an existing Rule is proposed to be repealed or amended; provided, however, that if the Civil Service Commission refuses or fails to submit to the Council a report or recommendation on any proposed new Rule, or proposed repeal or amendment of any existing Rule, within ninety (90) days from and after the date the Council requests such a report or recommendation, the Council may adopt such new Rule or repeal or amend such existing Rule, without first receiving a report or recommendation thereon from the Civil Service Commission.

The years ahead for local government will be tough, as property tax revenues will continue to be low and the true costs of pensions are revealed. If layoffs are inevitable, then let's examine the current system of layoffs by seniority.

The current method means we lose some of the most productive people and create a large age gap if/when we are in the position to hire down the road. Instead, perhaps we should look to see if there is an alternative that might involve employee performance as well as seniority. Maybe only lay off employees who are evaluated as "needing improvement" before laying off productive employees with less seniority. Or if two employees have nearly equal seniority, leave some allowance for merit—such as education, training, evaluations and certifications—to be used in the final determination.

Also, we should explore allowing those that are closer to retirement the ability to choose on their own accord to retire early in a way that would still provide the savings to balance the budget. Employees with more seniority are paid more than those with less seniority, so a change may allow fewer layoffs of city employees that provide services to residents.

I believe the Civil Service Commission, chaired by Bill Brill, business representative for IBEW union Local 425, should review and give their recommendation to the City Council in 90 days per the City Charter.

Thanks to Friends of the San Jose Rose Garden who hosted a great volunteer event on Saturday. Many unpaid volunteers braved the cold to help keep the park looking great. Special thanks to Terry Reilly, Beverly Rose Hopper and Myles Tobin for the heavy lifting.

[Click this link for a short video of Saturday's volunteer event at the San Jose Rose Garden.](#)

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